



SUNSHINE ORDINANCE TASK FORCE
Education, Outreach and Training Committee
CITY AND COUNTY OF SAN FRANCISCO
MINUTES
REMOTE REGULAR MEETING

Listen/Public Call-In Phone Number

1-415-906-4659

Meeting ID: 383 404 185#

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September 14, 2021 - 5:30 PM

Remote Meeting

Members: Chris Hyland (Chair), Matt Yankee and Jaya Padmanabhan

1. CALL TO ORDER, ROLL CALL, AND AGENDA CHANGES

Chair Hyland called the meeting to order at 5:38 p.m. On the call of the roll Chair Hyland and Members Yankee and Padmanabhan were noted present. A quorum was present.

There were no agenda changes.

2. Adoption of the minutes for the August 10, 2021, Education, Outreach, and Training Committee meeting.

Action: Moved by Member Yankee, seconded by Chair Hyland to approve the August 10, 2021, meeting minutes with amendments.

Public Comment:

Peter Warfield, Executive Director Library Users Assn.,
libraryusers2004@yahoo.com, P.O. Box 170544, San Francisco, California
94117-0544. Mr. Warfield expressed concern regarding incomplete minutes and provided examples.

Zack Karnazes commented on errors in the agenda and draft minutes.

The motion PASSED by the following vote:

Ayes: 3 -Yankee, Padmanabhan, Hyland

Noes: 0 - None

3. **Public Comment:** Members of the public may address the Education, Outreach and Training Committee on matters that are within the Committee's jurisdiction but not on today's agenda.

Speakers:

Zack Karnazes expressed concern regarding the passed meeting minutes and requested his email be added. Mr. Karnazes commented on disallowed disability accommodations, errors in scheduling and incorrect listing of Respondents.

Peter Warfield, Executive Director, Library Users Association expressed support of Mr. Karnazes and commented on summaries listed in the minutes by the Administrator. Mr. Warfield requested that members state their name when speaking.

Anonymous No. 3 expressed support of the previous speakers and commented on various improvements to committee procedures. Anonymous No. 3 stated that legal actions against boards and commission can get results.

4. **File No. 21081:** Complaint filed by Mary Miles against Tiffany Lin-Wilson, Philip Ginsberg and the Recreation and Parks Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.21 by failing to respond to a records request in a complete and/or timely manner; 67.24 by failing to provide public information; 67.25 by failing to respond in a complete and timely manner to an Immediate Disclosure Request; 67.26 by failing to provide non-minimum withholding, 67.27 by failing to provide written justification for withholding, 67.29-2 by failing to provide access to the Department Web Page; and 67.29-7 by failing to keep and preserve correspondence and records.

Mary Miles (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Ms. Miles provided a timeline on their request for records regarding the Great Highway. Ms. Miles stated that responsive documents have not yet been provided. Ms. Miles questioned why it took so long to get a response that no documents exist.

Tiffany Lin-Wilson (Recreation and Parks Dept.) (Respondent), provided a summary of the department's position. Ms. Lin-Wilson acknowledged that the response was not timely but stated that all responsive documents have since been provided. Ms. Lin-Wilson stated that there are no environmental review documents regarding the project as it does not exist. Ms. Lin-Wilson stated that the closure of the Great Highway was not planned but was in response to Covid-19 and there is the potential for an environmental review in the future.

A question and answer period occurred. The parties were provided an opportunity for rebuttals.

Action: Moved by Member Padmanabhan, seconded by Member Yankee, to find that the SOTF has jurisdiction, the records are public and to refer the matter to the SOTF for hearing with the recommendation to find a violation of Section 67.25 and 67.21(c) for timeliness and failing to provide assistance.

Public Comment:

Anonymous No. 3 expressed agreement with the motion with exceptions and suggestions. Anonymous stated that Capital Planning is part of the Recreation and Parks Department and not a separate department.

Moved by Member Padmanabhan, seconded by Member Yankee, to amend the motion to add recommended violations of Section 67.21(b) and CPRA 6253(c).

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Padmanabhan, Hyland

Noes: 0 - None

5. **File No. 21084:** Complaint filed by Charles Perkins and Concerned Residents of the Sunset against Phil Ginsburg and the Recreation and Parks Department for allegedly violating Administrative Code (Sunshine Ordinance), Sections 67.24 by failing to provide public information that must be disclosed; 67.25 by failing to respond in a complete and timely manner to an Immediate Disclosure Request; 67.27 by failing to provide written justification for withholding.

Charles Perkins (Petitioner) provided a summary of the complaint and requested the Committee to find a violation. Mr. Perkins provided a timeline and stated that no documents or response have been received regarding the closure of the Great Highway. Mr. Perkins stated that there has been no transparency in the process.

Tiffany Lin-Wilson (Recreation and Parks Dept.) (Respondent), provided a summary of the department's position. Ms. Lin-Wilson stated that she is the sole responder to Sunshine requests and there has been a significant increase in requests. Ms. Lin-Wilson acknowledged that she is still working on responding to the large/robust request from Mr. Perkins.

The Committee suggested the Respondent provide a summary and timeline of their proposed response.

A question and answer period occurred. The parties were provided an opportunity for rebuttals.

Action: Moved by Member Yankee, seconded by Member Padmanabhan, to find that the SOTF has jurisdiction, the records are public and to refer the matter to the SOTF for hearing. The Committee noted the Ethics Commission has previously found violations and referred the matter to the SOTF for hearing. The Committee found that no records have been disclosed since the Ethics Commission referred to the SOTF and suggest consideration of willful violation (Section 67.34) of General Manger Phil Ginsberg, Recreation and Parks Department.

Public Comment:

Anonymous No. 3 expressed agreement with the motion with exceptions and suggestions.

Peter Warfield, Executive Director, Library Users Association expressed support of the motion and previous comments. Mr. Warfield provided suggestions to amend the motion.

Moved by Member Yankee, seconded by Member Padmanabhan, to amend the motion to add a recommended violation of Section 67.25(d) by failing to provide documents on a rolling basis.

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Padmanabhan, Hyland

Noes: 0 - None

6. **File No. 21096:** Complaint filed by Michael Petrelis against District Attorney Chesa Boudin and the Office of the District Attorney for allegedly violating Administrative Code (Sunshine Ordinance), Section(s) 67.25 by failing to respond to an Immediate Disclosure Request in a timely and/or complete manner.

The Petitioner was not present and did not communicate with the SOTF.

Robin Burke (Office of The District Attorney); (Respondent), provided a summary of the department's position. Ms. Burke stated a response was provided by the next day requesting an extension of time of 14 days. Ms. Burke stated they requested a narrowing of the request but did not receive a response. Ms. Burke stated that a response was not received and therefore proceeded to provide documents on a rolling basis.

Moved by Member Yankee, seconded by Member Padmanabhan, to table/file the matter without prejudice due to non-attendance by the Petitioner.

Public Comment:

Anonymous No. 3 commented on the fact that the Respondent changed their mind and provided documents two days prior to the meeting. Anonymous No. 3 stated that the Department may request a narrowing of the request but it is not required.

Peter Warfield, Executive Director, Library Users Association expressed concerns related to last minute compliance. Mr. Warfield stated that the Petitioner is not required to attend the SOTF hearing and requested a definition of tabling.

The motion PASSED by the following vote:

Ayes: 3 - Yankee, Padmanabhan, Hyland

Noes: 0 - None

7. **Announcements, Comments, Questions, and Future Agenda Items by Members of the Education, Outreach and Training Committee.**

Chair Hyland commented that it is the practice of the SOTF to add full contact information the first time it is presented and is abbreviated throughout the remainder of the agenda.

Public Comment:

Peter Warfield, Executive Director, Library Users Association, stated that it is not clear where the policy was created and where is it documented regarding the contact information listed in the minutes. Mr. Warfield stated the others are not familiar with the process and suggested changes to agenda information provided.

Anonymous No. 3 suggested that SOTF develop ideas for citywide training on future agendas.

8. **ADJOURNMENT**

There being no further business the meeting was adjourned at 7:47 p.m.

APPROVED: 10/12/21

**Education, Outreach and Training Committee
Sunshine Ordinance Task Force**

N.B. The Minutes of this meeting set forth all actions taken by the Sunshine Ordinance Task Force on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.

The Sunshine Ordinance Task Force was established by [the San Francisco Administrative Code](#), Chapter 67. The purpose of the Task Force is to protect the public's interest in open government and to carry out the duties enumerated in [Chapter 67 of the San Francisco Administrative Code](#). For additional information concerning Sunshine Ordinance Task Force please contact the Task Force by e-mail sotf@sfgov.org or by calling (415) 554-7724.

Agenda Item Information

Each item on the agenda may include the following documents:

- 1) Department or Agency cover letter and/or report;
- 2) Public correspondence;
- 3) Other explanatory documents.

These items will be available for review at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, Reception Desk.

Meeting Procedures

1. The Complaint Committee shall review the merits of the complaint
2. Respondent and Complainant presents clarification/rebuttal 3 minutes
3. Matter is with the Task Force for motion and deliberation.
4. Public comment (Excluding Complainant & City response, witnesses) Up to 3 minutes each
5. Action by the Committee

Public Comment will be taken before or during the Committee's consideration of each agenda item. Speakers may address the Task Force for up to three minutes on that item. During General Public Comment, members of the public may address the Task Force on matters that are within the Task Force's jurisdiction and are not on the agenda. Any person speaking during a public comment period may supply a brief written summary of their comments, which shall, if no more than 150 words, be included in the official file.

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding persons requested by the Task Force to make presentations, except that public speakers using interpretation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous interpretation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting interpretation assistance.

Each member of the public who is unable to attend the public meeting or hearing may submit to the City, by the time the hearing begins, written comments regarding the agenda items. These comments will be made a part of the official public record. Written communications should be submitted to the SOTF at:

1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102.

AGENDA PACKET: Available for review in the Office of the Clerk of the Board, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, or on the internet at: <http://www.sfbos.org/sunshine>.

AUDIO RECORDINGS: Audio recordings of the meeting of the Sunshine Ordinance Task Force are available at: <http://www.sfbos.org/sunshine>.

LANGUAGE INTERPRETERS: Requests must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Peggy Nevin at (415) 554-5184.

AVISO EN ESPAÑOL: La solicitud para un traductor debe recibirse antes de mediodía de el viernes anterior a la reunion. Llame a Derek Evans (415) 554-7702.

Paunawa: Ang mga kahilingan ay kailangang matanggap sa loob ng 48 oras bago mag miting upang matiyak na matutugunan ang mga hiling. Mangyaring tumawag ka sa (415) 554-5184.

翻譯 必須在會議前最少四十八小時提出要求
請電 (415) 554-7719

Disability Access

The hearing rooms in City Hall are wheelchair accessible. Assistive listening devices for the hearing rooms are available upon request with the SOTF Clerk. The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the F, J, K, L, M, N, T (exit at Civic Center or Van Ness Stations). MUNI bus lines also serving the area are the 5, 5R, 6, 7, 7R, 7X, 9, 9R, 19, 21, 47, and 49. For more information about MUNI accessible services, call (415) 701-4485. There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week: For American sign language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the SOTF Clerk at (415) 554-7724 to make arrangements for the accommodation. Late requests will be honored, if possible.

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review.

For more information on your rights under the Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) or to report a violation of the ordinance, contact: Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102; phone (415) 554-7724; fax (415) 554-7854; or email sotf@sfgov.org.

Citizens may obtain a free copy of the Sunshine Ordinance by printing the San Francisco Administrative Code, Chapter 67 on the Internet at <http://www.sfbos.org/sunshine>.

Cell Phones, Pagers and Similar Sound-Producing Electronic Devices

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices (Chapter 67A of the San Francisco Administrative Code).

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code, Section 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the Ethics Commission at: 25 Van Ness Avenue, Suite 220, San Francisco, CA 94102; telephone (415) 581-3100; fax (415) 252-3112; web site www.sfgov.org/ethics